FEB 1 1 2003

PATENT APPLICATION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on February 6, 2003.

Jeffrey D. Myers, Reg. No. 35,964

February 6, 2003 (Date)

#10 2-143 Buy

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Vladimir M. Shalaev et al.

Examiner: A. Lavarias

Group Art Unit: 2872

Serial No. 09/955,712

Filed: September 19, 2001

For:

OPTICAL STRUCTURES EMPLOYING

SEMICONTINUOUS METAL FILMS

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents Box Non-Fee Amendment Washington, D.C. 20231

Sir:

In response to the Office Action of January 8, 2003, the Applicant elects Group III (Claims 14-18,

21, 24, 36, 39, 42, 45, and 48), without traverse.